

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Agricultural Marketing Department – Allegation of corruption against Sri Mohammad Shamshuddin, S/o Mohd. Sirajuddin, Deputy Executive Engineer, Agricultural Marketing Department, Vizianagaram – Trapped on 21-06-2010 – Prosecution – Sanction – Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Ms.No. 19

Dated:02-02-2012

ORDER:

1) Whereas, Sri Mohammad Shamshuddin, S/o Mohd. Sirajuddin, worked as Trainee Assistant Engineer, Assistant Engineer and further while working as Deputy Executive Engineer, Agricultural Marketing at office of Deputy Executive Engineer, Agricultural Marketing Department, Vizianagaram from 28-03-2009 to 21-06-2010 and by virtue of the posts held by him he falls under the category of public servant as defined under Section 2(c) of the Prevention of Corruption Act 1988 (Central Act 49 of 1988).

2) Whereas, it is alleged that Sri Kilaparathi Pentannaidu, S/o Late Pydipunaidu, 63 years, Contractor, Poram Village, Mentada Mandal, Vizianagaram District (Complainant) approached the in-charge Deputy Superintendent of Police, Anti Corruption Bureau, Vizianagaram on 19-06-2010 at 5.00 P.M. and lodged a complaint alleging that he has been working as Contractor in Vizianagaram District. He got a contract work of the internal road (Metal Road) at Agricultural Market Committee, Gajapathinagaram and obtained an agreement with Executive Engineer, Agricultural Marketing Department, Visakhapatnam to that effect. About two months back the complainant completed the said work. On that the Deputy Executive Engineer Sri Mohammad Shamshuddin has to get measured the work and prepare the bill through the Assistant Engineer and he should check measured the M-Book and forward the Bill of the work performed by the complainant to the Executive Engineer for arranging payment. The complainant encircles the Deputy Executive Engineer for two months for the check measurement and forwards his bill. Finally the complainant met the Accused Officer on 18-06-2010 at about 9-00 A.M. at the residential apartment of the Accused Officer at Vizianagaram and requested for his bill. The Accused Officer demanded an amount of Rs.20,000/- to do his work and threatened that if he do not give the demanded bribe, he would not forward his bills. On the request of the complainant, the Accused Officer reduced the bribe amount from Rs.20,000/- to Rs.15,000/- and asked to pay him on Monday i.e. on 21-06-2010 at his residential apartment Plot No.205, Sri Mahalakshmi Towers, at Vizianagaram. As the complainant is not willing to pay the demanded bribe, approached the Inspector, in-charge Deputy Superintendent of Police, Anti Corruption Bureau, Vizianagaram on 19-06-2010 at 5-00 P.M. and presented a written report for taking necessary action against the said Sri Mohammad Shamshuddin, S/o Mohd. Sirajuddin, Deputy Executive Engineer, Agricultural Marketing Department, Vizianagaram District.

3) After receipt of the above complaint, after due verification of the genuineness of the complaint and reputation of Sri Mohammad Shamshuddin, Deputy Executive Engineer, Agricultural Marketing, Vizianagaram, a case in Cr.No.08/RCT-ACB/VZM/2010 under Section 7 of PC Act 1988 was registered on 21-06-2010 at 9-00 A.M. and investigated into.

4) And whereas, it is further alleged that during the course of trap on 21-06-2010 when Sri Kilaparathi Pentannaidu, the complainant accompanied by Sri Marudipudi Nooka Raju, S/o Late Atcheelu, 36 years, Senior Accountant, District Treasury Office, Vizianagaram approached Sri Mohammad Shamshuddin, S/o Mohammad Sirajuddin, Deputy Executive Engineer, Agricultural Marketing Department, Vizianagaram in his residential apartment at Plot No.205, Sri Mahalakshmi Towers, near Saibaba Temple, Ring Road, Vizianagaram, he further demanded and accepted the tainted amount of Rs.15,000/- as bribe from the complainant. Sri Mohammad Shamshuddin, Deputy Executive Engineer, Agricultural Marketing, Vizianagaram received the amount with his right hand, changed it to his left hand and put his signatures in the bill of the complainant and with covering letter and handed over the same to the complainant with instructions to hand over the same to Executive Engineer, Visakhapatnam. While identifying the arrival of the Anti Corruption Bureau Officials, he has thrown away the tainted amount towards his main door of his apartment. Both hand fingers of the said Mohammad Shamshuddin yielded positive result when subjected to chemical test. The bribe amount was recovered from the floor of the residential apartment of Sri Mohammad Shamshuddin at this instance, in the presence of the mediators. The in-charge Deputy Superintendent of Police seized the bribe amount and as well as connected documents in the presence of the mediators.

(PTO)

5) And whereas, it is further alleged that the above acts of Sri Mohammad Shamshuddin, S/o Mohd. Sirajuddin, 48 years, Deputy Executive Engineer, Agricultural Marketing, Vizianagaram District do constitute offences punishable Under Sections 7 & 13(2) read with 13(1)(d) of Prevention of Corruption Act, 1988 (Central Act of 49 of 1988).

6) And Whereas the Government of Andhra Pradesh being the competent authority to remove Sri Mohammad Shamshuddin, S/o Mohd. Sirajuddin, Deputy Executive Engineer, Agricultural Marketing, Vizianagaram District from service after fully and carefully examining the material i.e. copies of F.I.R., Statements of Witnesses, Pre-trap and post-trap proceedings, final report and other records of investigation etc. placed before them with regard to the said allegation and having regard to the circumstances of the case, consider that the said Sri Mohammad Shamshuddin, S/o Mohd. Sirajuddin, Deputy Executive Engineer, Agricultural Marketing, Vizianagaram district should be prosecuted in a competent Court of Law.

7) Now, in exercise of the powers conferred by Section 19(1)(c) of the Prevention of Corruption Act, 1988, the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri Mohammad Shamshuddin, S/o Mohd. Sirajuddin, Deputy Executive Engineer, Agricultural Marketing, Vizianagaram district under Sections 7 & 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any other provisions of Law for the time being in force and for taking cognizance of the said offences by the Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(I.Y.R. KRISHNA RAO)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director Gneral,
Anti Corruption Bureau,
Hyderabad.

//FORWARDED BY ORDER //

Section Officer